

REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

Claims 1-25 are pending in this application. Claims 1-15 stand rejected. Claims 16-25 are allowed. Claims 1, 5, 7-16, 20, 24 and 25 are amended. Claims 1 and 16 are the independent claims.

Applicants gratefully acknowledge the allowance of Claims 16-25.

Applicants also acknowledge with appreciation the opportunity afforded by the Examiner to discuss the amendments as set forth above, on June 21, 2007, during which the Examiner stated he believed the amendments should place Claims 1-15 in condition for allowance.

Additionally, Applicants note with appreciation the Examiner's acknowledgement that certified copies of all priority documents have been received by the U.S.P.T.O. Action, summary at 12.

Applicants respectfully note that the present action does not indicate that the drawings have been accepted by the Examiner. Applicants respectfully request that the Examiner's next communication include an indication as to the acceptability of the filed drawings or as to any perceived deficiencies so that the Applicants may have a full and fair opportunity to submit appropriate amendments and/or corrections to the drawings.

Rejections under 35 U.S.C. § 112

Claims 1-15 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants respectfully traverse this rejection for the reasons detailed below.

Claim 1 has been amended, as set forth above, to recite, "A method of automatically disinfecting or sterilizing at least a portion of any of a resting, a milking, or a feeding station provided with an animal identification device and located in an area, in which milking animals are allowed to move, wherein each of said milking animals visiting said any of a resting, a milking, or a feeding station is identified, said method comprising: retrieving information regarding the health of each of said milking animals entering said any of a resting, a milking, or a feeding station; ascertaining the health of

each said milking animal based on the retrieved information; automatically disinfecting or sterilizing said at least a portion of any of a resting, a milking, or a feeding station when it is ascertained that a milking animal entering said any of a resting, a milking, or a feeding station has an infection that is capable of being transmitted to other milking animals, the disinfection or the sterilization being performed after that said infectious milking animal has left said any of a resting, a milking, or a feeding station; and preventing further milking animals from entering said any of a resting, a milking, or a feeding station until the disinfection or the sterilization has been performed."

Applicants respectfully submit that the amendments to Claim 1 more particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

For example, Applicants have more particularly pointed out and affirmatively recited the feature of *automatically disinfecting or sterilizing at least a portion of the resting, milking, and/or feeding station when the retrieved information reveals that a milking animal entering the resting, milking, and/or feeding station has an infection*. Particularly, Applicants have added the recitation, "ascertaining the health of each said milking animal based on the retrieved information", as suggested by the Examiner, to more particularly point out that the retrieved information is utilized to ascertain the health of the milking animal. Additionally, Applicants have amended the 'automatically disinfecting or sterilizing' recitation to recite, "automatically disinfecting or sterilizing said at least a portion of any of a resting, a milking, or a feeding station *when it is ascertained that a milking animal entering said any of a resting, a milking, or a feeding station has an infection...*", thereby more particularly pointing out, and affirmatively reciting the feature of automatically disinfecting or sterilizing the respective station when it is ascertained that a milking animal visiting the station has an infection.

As another example, Applicants have amended the 'no further milking animals are admitted' recitation to recite, "preventing further milking animals from entering said any of a resting, a milking, or a feeding station until the disinfection or the sterilization has been performed", thereby more clearly presenting the recitation as an independent feature of the method.

Therefore, in accordance with the amendments and remarks set forth above, Applicants respectfully submit that amended Claim 1 more particularly points out and

distinctly claims the subject matter which Applicants regard as the invention. Accordingly, Applicants submit that amended Claim 1 satisfies the requirements of §112 and is allowable condition.

Claims 2-15 depend from amended Claim 1, which Applicants submit is in allowable condition. Therefore, when the recitations of Claims 2-15 are considered in combination with the recitations of amended Claim 1, Applicants submit that Claims 2-15 are likewise in allowable condition.

The Applicants, therefore, respectfully request that the rejection to Claims 1-15 under 35 U.S.C. § 112, second paragraph, be withdrawn.

Claim Objections

Claims 1-25 stand objected to for certain informalities. Applicants have amended the relevant claims, specifically Claims 1, 5, 7-16, 20, 24 and 25, in accordance with the Examiner's suggestions. Therefore, Applicants respectfully request that the objections to Claims 1-25, be withdrawn.

CONCLUSION

In view of the above remarks and amendments, the Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John Castellano, Reg. No. 35,094, at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By

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